

**STATE OF NEW YORK
COUNTY OF ALBANY**

FEBRUARY 14, 2018

7:00 PM Public Hearing Local Law #1 of 2018

Supervisor Lyons declared the public hearings on the following Local Laws of 2018; “**Town of Berne Small Scale Solar Energy Law**”; “**Town of Berne Solar Energy System Moratorium Law**”; “**Town of Berne Industrial-scale Solar Energy System Moratorium Law**”; “**Town of Berne Hydraulic Fracturing and/or Hydrofracking Law**”, open with the following members present Councilmembers Schimmer, Jordan, Palow & Willsey. Supervisor Lyons opened the floor to guests: after public comment from residents, Supervisor Lyons closed the public hearings at 7:28PM.

REGULAR MEETING

The regular monthly meeting of the Town Board of the Town of Berne was held on the above date with the following officers present: Supervisor Lyons, Councilmembers Schimmer, Jordan, Palow & Willsey. Also present was Attorney Conboy, and several interested citizens. Town Clerk Clayton was not in attendance. The Pledge of Allegiance was led by Supervisor Lyons who then called the meeting to order at 7:30PM, and on motion of Supervisor Lyons and seconded by Councilmember Schimmer, the minutes of 01/10/18 were approved as presented with the following members voting aye; Supervisor Lyons; Councilmembers Schimmer, Jordan, Palow & Willsey. Supervisor Lyons opened the meeting to guests: there was no public comment.

CORRESPONDENCE

Supervisor Lyons read a letter from St. Pauly Textile stating that The Town of Berne raised \$723.44 in 2017 hosting the recycling shed; letter from NYSDOT regarding request for speed limit reduction for Route 443 between the Hamlet of East Berne and Route 85 and found that posting a lower speed limit will have little to no effect on the operating speed of motorists.

COMMITTEE REPORTS

HIGHWAY- Highway Superintendent Bashwinger distributed quotes for 8’ Fisher sander stainless 2 cubic yard, installed in the Chevy Silverado truck with the best quote being from Dejana for \$4,160 and that the truck did not come with a bed liner and is requesting to purchase same from Dejana for \$495. Highway Superintendent Bashwinger gave report on amount of salt and sanding material left, spoke about bids going out in March for stone; asphalt concrete & sanding materials; will be getting top soil in to clean up around salt shed. Discussion was had regarding Bradt Hollow & Filkins Hill roads.

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EMERGENCY MANAGEMENT - Supervisor Lyons met with the Albany County Sheriff's office and discussed upgrading the Emergency Management Plan and setting up a County wide registry for people who would need help in an emergency situation.

SENIORS - Councilmember Jordan stated she attended the meeting on 1/13/17 and future trips were discussed and the next meeting will be held at the Shell Inn.

SENIOR MEAL PROGRAM – Councilmember Schimmer reported the meal program is going strong and paint & sip classes will be held 2/23 and 3/2 at 12:30PM; there will meeting on 2/26/18 to discuss meal program changes; the County Access office has forms available for the HEAP Program and the Weatherization Assistance Program.

CONSERVATION BOARD – Councilmember Willsey reported that the Conservation Board hosted Robyn Reynolds of the Capital District Planning Commission and she discussed a Clean Energy Communities Program; an opportunity for local governments to earn grant money with demonstrating leadership with clean energy initiatives.

PLANNING & ZONING – Councilmember Jordan reported the Planning Board met on 2/1/18 and reviewed a use variance application; the next meeting will be on 3/1/18.

SEWER DISTRICT – Supervisor Lyons reported there was an incident with a grinder pump and John Dewey has been retained by the Town to fix them; a reminder that residents must call before they dig as a sewer line was almost dug up; two new hook ups will be installed on Sand Road.

LIBRARY –Supervisor Lyons stated that the Library will present their annual report on 3/3/18 and to the Town Board on 3/14/18. A reception for Judy Petrosillo will be held; date to be announced.

YOUTH COUNCIL – Councilmember Palow stated the Youth Council met on 2/5/18; a notice for volunteers for the summer recreation program to be held 7/23-7/27/18 will be posted on the website. The next meeting is scheduled for 3/4/18.

SWITZKILL FARM – Councilmember Schimmer reported a tree pruning workshop was held by Mr. Albright from Indian Ladder Farms; the BKW committee of teachers is working on future projects to be held at Switzkill Farm; there are many workshops scheduled regarding bees; creek erosion; beaver huts; animal tracking and more. Councilmember Schimmer reported on the status of the roof and its repair. Jason Preisner from Lamont Engineers was present to report on the roof.

OLD BUSINESS - None

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NEW BUSINESS

AUTHORIZING EXPENDITURE FOR PURCHASE SANDER AND BED LINER FOR CHEVROLET SILVERADO

After discussion, Supervisor Lyons made a motion seconded by Councilmember Willsey authorizing the purchase of a 8' Fisher sander stainless 2 cubic yard, installed and a bed liner from Dejana in an amount not to exceed \$5,000. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

AUTHORIZING SUPERVISOR TO ENTER INTO CONTRACT WITH LAMONT ENGINEERS TO DRAW UP BID SPEC PACKAGE FOR ROOF AT SWITZKILL FARM

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Jordan authorizing Supervisor Lyons to enter into a contract with Lamont Engineers to draw up a bid spec package for the roof at Switzkill Farm in an amount not to exceed \$8,000. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

AUTHORIZING TOWN CLERK TO ADVERTISE FOR BIDS FOR SWITZKILL FARM ROOF PROJECT

After discussion, Councilmember Schimmer made a motion seconded by Supervisor Lyons authorizing the Town Clerk to advertise bids for the Switzkill Farm roof project. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

**ADOPTING LOCAL LAW #1 OF 2018
"Town of Berne Small Scale Solar Energy Law"**

After discussion and declaring this a Type II action, the following resolution was offered and moved by Supervisor Lyons and seconded by Councilmember Willsey:

WHEREAS Local Law #1 of 2018 known as the **"Town of Berne Small Scale Solar Energy Law"** has been introduced by the Town Board of the Town of Berne and a public hearing has been duly called and held, **NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Berne hereby adopts **LOCAL LAW #1 of 2018** of the Town of Berne known as **"Town of Berne Small Scale Solar Energy Law."** The resolution was adopted by the following roll call vote: Supervisor Lyons & Councilmembers Schimmer, Jordan, Palow and Willsey.....Aye.

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ADOPTING LOCAL LAW #2 OF 2018

“Town of Berne Industrial-scale Solar Energy System Moratorium Law”

The following resolution was offered and moved by Councilmember Jordan and seconded by Councilmember Schimmer:

WHEREAS Local Law #2 of 2018 known as the **“Town of Berne Industrial-scale Solar Energy System Moratorium Law”** has been introduced by the Town Board of the Town of Berne and a public hearing has been duly called and held, **NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Berne hereby adopts **LOCAL LAW #2 of 2018** of the Town of Berne known as **“Town of Berne Industrial-scale Solar Energy System Moratorium Law.”** The resolution was adopted by the following roll call vote: Supervisor Lyons & Councilmembers Schimmer, Jordan, Palow and Willsey.....Aye.

ADOPTING LOCAL LAW #3 OF 2018

“Town of Berne Hydraulic Fracturing and/or Hydrofracking Law”

The following resolution was offered and moved by Supervisor Lyons and seconded by Councilmember Schimmer:

WHEREAS Local Law #3 of 2018 known as the **“Town of Berne Hydraulic Fracturing and/or Hydrofracking Law”** has been introduced by the Town Board of the Town of Berne and a public hearing has been duly called and held, **NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Berne hereby adopts **LOCAL LAW #3 of 2018** of the Town of Berne known as **“Town of Bern Hydraulic Fracturing and/or Hydrofracking Law”**. The resolution was adopted by the following roll call vote: Supervisor Lyons & Councilmembers Schimmer, Jordan, Palow and Willsey.....Aye.

APPROVING SOLAR PANEL PERMIT

After discussion, Supervisor Lyons made a motion seconded by Councilmember Jordan approving the Solar Panel Permit for use when applying for same with the Building & Zoning Office. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

APPROVING CONSTRUCTION GRANT FOR THE BERNE PUBLIC LIBRARY

After discussion, Councilmember Schimmer made a motion seconded by Supervisor Lyons approving the construction grant for the Library for roof repairs and LED lights with the Town’s share being \$17,225. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, Palow & Willsey.

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APPROVING QUOTE FROM R&K CONTRACTORS FOR STOVE HOOD

After discussion, Councilmember Schimmer made a motion seconded by Supervisor Lyons approving the quote from R&K Contractors in an amount not to exceed \$7,700 for the stove hood at the Berne Community & Senior Service Center. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, Palow & Willsey.

APPROVING CHANGE FROM WEBSTAUANT TO KATOM FOR STOVE AT BERNE COMMUNITY & SENIOR SERVICE CENTER.

After discussion, Supervisor Lyons made a motion seconded by Councilmember Schimmer approving change from Webstaurant to KaTom for the stove at the Berne Community & Senior Service Center. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, Palow & Willsey.

APPOINTING PLANNING BOARD MEMBER

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Palow appointing Mark Sengenberger to a five year term as Planning Board member. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan & Palow. Councilmember Willsey abstained as he was not present during interviews.

APPOINTING ALTERNATE PLANNING BOARD MEMBERS

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Palow appointing Mark Hohengasser & Alexis Goldsmith as alternate Planning Board members for a one year term. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan & Palow. Councilmember Willsey abstained as he was not present during interviews.

APPOINTING YOUTH COUNCIL MEMBER

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow appointing Lisa Raymond to a two year term as Youth Council member. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, Palow & Willsey.

APPOINTING YOUTH COUNCIL MEMBER & CHAIR

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow appointing Jean Guarino to a two year term as Youth Council member and Chair. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, Palow & Willsey.

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ROTATION OF BOARD CHAIRS

The proposed policy of rotation of board chairs was discussed. After discussion Councilmember Schimmer offered and moved a resolution **Establishing a Policy that the Selection of the Chairpersons and the Acting Chairpersons of the Town of Berne Zoning Board of Appeals and Planning Board shall be on a Rotating Basis and Mandating the Training of Members.** Motion was seconded by Councilmember Jordan and the resolution was duly adopted by the following vote:

Supervisor Lyons.....Aye
Councilmember Schimmer.....Aye Councilmember Palow.....Aye
Councilmember Jordan.....Aye Councilmember Willsey... ..Aye

A copy of the entire resolution is attached to these minutes.

APPROVING CHANGES TO PROCUREMENT POLICY

After discussion, Supervisor Lyons made a motion seconded by Councilmember Schimmer approving the changes to the Procurement Policy. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, Palow & Willsey. A copy of the Procurement Policy is attached to these minutes.

AUTHORIZING CHANGE IN SPENDING FOR HIGHWAY SUPERINTENDENT

Supervisor Lyons moved to authorize the Highway Superintendent to spend up to \$2,500 for purchase of tools, tires and equipment from New York State contract and/or the Albany County Purchasing Department; other County, State or Federal contracts without prior approval by the Town Board. The motion was seconded by Councilmember Schimmer and carried by the following roll call vote: Supervisor Lyons, Councilmembers Schimmer, Jordan, Willsey & Palow - Aye

AUTHORIZING EXPENDITURE FOR PURCHASE OF PHONE IN BUILDING & ZONING DEPARTMENT

After discussion, Councilmember Jordan made a motion seconded by Councilmember Schimmer authorizing the purchase a phone and phone line in the Building & Zoning Office in an amount not to exceed \$538. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

APPROVING QUOTE FROM PREVILLE FOR BACKUP TO SOFTWARE

After discussion, Councilmember Willsey made a motion seconded by Councilmember Schimmer approving the purchase quote for an additional \$40 per month with Preville for backup for the Town's software system for an amount of an additional \$40 per month. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

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ACCEPTING AUDIT REPORT OF JUSTICES RECORDS

After discussion, Supervisor Lyons made a motion seconded by Councilmember Willsey to accept the Audit Report for the Town Justice records. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

TOWN OF BERNE FACEBOOK PAGE – Tabled for further discussion.

AUTHORIZING WASTE REDUCTION COMMITTEE

After discussion Councilmember Schimmer made a motion seconded by Councilmember Jordan authorizing the formation of a Waste Reduction Committee and appointing Emily Vincent as Chair with current members being Jeff Alexander, Alexis Goldsmith, Joel Willsey & Kevin Crosier. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

APPROVING MEMBERSHIP WITH ASSOCIATION OF TOWNS

After discussion, Supervisor Lyons made a motion seconded by Councilmember Jordan approving the membership with Association of Towns in the amount of \$1,000. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, Palow & Willsey.

AUTHORIZING SUPERVISOR TO ENTER INTO LEASE AGREEMENT WITH TOWN OF RENNELAERVILLE FOR USE OF THEIR DOG SHELTER

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Palow authorizing Supervisor Lyons to enter into a one year lease agreement with the Town of Rensselaerville for use of their dog shelter. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

AUTHORIZING BUDGET TRANSFERS

After discussion, Supervisor Lyons made a motion seconded by Councilmember Schimmer that the following fund transfers be authorized in the amounts and manners as set forth:

General Fund.

| From: | To: | Amount: |
|--------------|--------------|----------------|
| A1010e 44047 | A1010e 44031 | \$ 100.00 |
| A1220e 44999 | A1220e 44030 | \$ 110.00 |

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| | | |
|-------------------------|---------------|------------|
| A1330e 44039 | A1330e 44038 | \$ 450.00 |
| A1355e 44042 \$ 285.00 | A1355e 44021 | \$ 260.00 |
| | A1355e 44300 | \$ 25.00 |
| A1410e 44999 | A1410e 44300 | \$ 161.00 |
| A1620e 44999 | A1620e 44020 | \$ 500.00 |
| A1620e 22851 | A1620e 44022 | \$ 2000.00 |
| A1990e 44999 \$ 3100.00 | A 1910e 44999 | \$ 600.00 |
| | A 7111e 22080 | \$ 2500.00 |
| A3620e 44021 | A3620e 44020 | \$ 100.00 |
| A1990e 44999 | A7111e 44100 | \$ 750.00 |
| | A7111e 44999 | \$ 150.00 |
| A8160e 44050 | A8160e 44072 | \$ 600.00 |

Highway fund

| From: | To: | Amount: |
|--------------------------|----------------|----------------|
| Da5110e 44102 | Da5110e 44046 | \$ 100.00 |
| Da5130e 44070 \$ 3356.00 | Da513010 44070 | \$ 2300.00 |
| | Da513019 44070 | \$ 570.00 |
| | Da513022 44070 | \$ 120.00 |
| | Da513024 44070 | \$ 25.00 |
| | Da513027 44070 | \$ 307.00 |
| | Da513030 44070 | \$ 24.00 |
| | Da513037 44070 | \$ 10.00 |
| Da5110e 44070 | Da5142e 44072 | \$ 500.00 |

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Sewer fund

| From: | To: | Amount: |
|----------------|---------------|----------------|
| SS 8110e 44101 | SS8110e 44106 | \$ 400.00 |

Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

BILLS AND REPORTS

The Supervisor's, Town Clerk's and Building & Zoning Administrator's monthly reports were received and accepted.

Supervisor Lyons made the motion seconded by Councilmember Palow to approve payment of the following bills:

| | |
|---|---------------------|
| GENERAL FUND, HIGHWAY FUND & SEWER 2018..... | \$497,504.06 |
| ABSTRACT#021418..... | \$496,504.06 |
| ABSTRACT#021418a..... | \$ 1,000.00 |

Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

MOTION TO ADJOURN

There being no further business, Supervisor Lyons made the motion seconded by Councilmember Schimmer to adjourn the meeting. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey. Meeting adjourned at 8:30 PM.

Respectfully submitted,

Anita C. Clayton, Town Clerk

**ESTABLISHING A POLICY THAT THE SELECTION OF THE
CHAIRPERSONS AND THE ACTING CHAIRPERSONS OF THE TOWN OF
BERNE ZONING BOARD OF APPEALS AND PLANNING BOARD SHALL BE
ON A ROTATING BASIS AND MANDATING THE TRAINING OF MEMBERS**

WHEREAS, pursuant to Sections 267 and 271 of the Town Law the Town Board of the Town of Berne appoints the members and chairpersons and approves the training requirements of the members of the Town's Zoning Board of Appeals and Planning Board and the members of the Zoning Board of Appeals and Planning Board designate acting chairpersons to serve in the absence of the chairperson, and

WHEREAS, the Town's Zoning Board of Appeals and Planning Board undertake vital roles in the Town's decision making which has a wide ranging impact on the character of the Town, and

WHEREAS, the members of the Town Board are of the opinion that establishing a policy that the appointment of chairpersons and the designation of acting chairpersons of the Town's Zoning Board of Appeals and Planning Board on a rotating basis annually will promote the interest of qualified individuals in serving on the Zoning Board of Appeals and Planning Board and attract a broader base of the Town's citizenry to serve on these boards and will also serve to diversify and strengthen the leadership role of these positions, and

WHEREAS, the members of the Town Board are also of the opinion that establishing particular training requirements for members of the Town's Zoning Board of Appeals and Planning Board will enhance the abilities of the members to fulfill their ongoing important responsibilities, and

WHEREAS, such a policies are clearly in the interests of the Town of Berne, now, therefore, be it

RESOLVED, by the Town Board of the Town of Berne that it shall henceforth be the policy of the Town Board of the Town of Berne that in making the appointments of chairpersons of the Zoning Board of Appeals and Planning Board and in the designation of acting chairpersons that the said appointments and designations shall be made on a rotating basis annually whenever practicable, and, be it further

RESOLVED, that in accordance with the policy described in the Resolution titled "ESTABLISHING A POLICY THAT THE SELECTION OF THE CHAIRPERSONS AND THE ACTING CHAIRPERSONS OF THE TOWN OF BERNE ZONING BOARD OF APPEALS AND PLANNING BOARD SHALL BE ON A ROTATING BASIS AND MANDATING THE TRAINING OF MEMBERS," dated February 8, 2012, and commencing in the year 2013 of the five members appointed by the Town Board to both the Zoning Board of Appeals and the Planning Board the member whose term is, first to expire shall be appointed to serve as the chairperson of the respective boards during 2013 and the member whose term is next to expire shall be designated by the Zoning Board of Appeals and Planning Board to be the acting chairpersons during 2013 and annually thereafter the chairpersons and acting chairpersons shall be rotated similarly on the basis of the expiration of each members term, and, be it further

RESOLVED, that in the event that the individual intended to serve as chairperson or acting chairperson pursuant to this policy is unwilling or unable to serve then the person next eligible

pursuant to this policy shall be appointed or designated to serve as chairperson or acting chairperson, and, be it further

RESOLVED, by the Town Board of the Town of Berne that it shall henceforth also be the policy of the Town Board of the Town of Berne that to supplement the training for members of the Town's Zoning Board of Appeals and Planning Board which is required by Sections 267(7)(a) and 271(7)(a) of the Town Law, each present member of the Zoning Board of Appeals and Planning Board shall be required to complete a total of four hours of training annually which training shall be approved by the Town Board and be specific to the duties and operations of the Zoning Board of Appeals and Planning Board and each newly appointed member shall also complete a total of four hours of training annually with the additional requirement that within the first three months of their term the newly appointed member must complete a training course which shall be specific to the duties and operations of the Zoning Board of Appeals and Planning Board and within the first year of their term complete a training course addressing conflicts of interest and ethics which training course must be approved by the Town Board, and, be it further

RESOLVED, that the failure of any member of the Zoning Board of Appeals and Planning Board to complete the training required by this policy shall be in the discretion of the Town Board a basis for not reappointing or removing such member, and, be it further

RESOLVED, that in the event that these policies require further action or interpretation the action or interpretation necessary shall be requested of the Town Board.

TOWN OF BERNE PROCUREMENT POLICY

50-1. Applicability ; yearly purchasing estimates

The Town Clerk shall be responsible for assuring that all purchases are made in accordance with this procurement policy. Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law (GML) § 103. Every Town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter "purchaser") shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other Town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity. All purchases over \$500 from the General Fund shall require a prior approval of the Town Board.

50-2. Formal bids required

All purchases of supplies or equipment which will exceed \$10,000 in the fiscal year or public works contracts over \$20,000 shall be formally bid pursuant to GML § 103.

50-3. Quotes and RFPs

A. All estimated purchases of:

- (1) Less than \$10,000 but greater than \$3,000 require a written request for a proposal (RFP) and written/fax quotes from three vendors.
- (2) Less than \$3,000 but greater than \$1,000 require an oral request for the goods or services and oral/fax quotes from vendors.
- (3) Less than \$1,000 but greater than \$500 are left to the discretion of the purchaser.

B. All estimated public works contracts of

(definition: construction projects, such as highways or dams, financed by public funds and constructed by a government for the benefit or use of the general public):

- (1) Less than \$20,000 but greater than \$10,000 require a written RFP and fax/proposals from three contractors.
- (2) Less than \$10,000 but greater than \$3,000 require a written RFP and fax/proposals from two contractors.
- (3) Less than \$3,000 are left to the discretion of the purchaser.

C. All written RFPs shall describe the desired goods, quantity and the particular of delivery. The purchaser shall compile a list of all vendors from whom written, fax/oral quotes have been requested and the written, fax/oral quotes offered.

D. All information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

- E. In connection with every prospective purchase of goods or services the Town officer, board, department head or other personnel with the requisite purchasing authority shall evaluate whether or not the goods or services may be available through New York State contract and/or the Albany County Purchasing Department for a price or sum more favorable than the proposals or price quotes solicited by the Town.
- F. All purchases of goods or services by a Town officer, board, department head or other personnel with the requisite purchasing authority shall require a purchase order.
- G. Except in emergencies, all vouchers and bills to be considered for approval of payment by the Town Board at its regular monthly meeting (on the second Wednesday of the month) must be submitted to the Town on or before the first Wednesday of the month.

50-4. **Award of bid**

The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

50-5. **Solicitation of quotes and/or proposals**

A good-faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the view a specific community's Code please visit their website or go to the

50-6. **Written proposals not required**

Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- A. Acquisition of professional services; except when the Town Board has directed the use of formal requests for proposals;
- B. Emergencies;
- C. Sole-source situations;
- D. Goods purchased from agencies for the blind or severely handicapped;
- E. Goods purchased from correctional facilities;
- F. Goods purchased from another government agency;
- G. Goods purchased at auction;
- H. Goods purchased for less than \$500;

I. Public works contacts for less than \$3,000.

50-7. Annual review of policy

This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.